

F-7028



JC05 Rec'd PCT/PTO 22 MAR 2002

PCT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Klaus FISCHER et al.  
Serial No. : 09/868,688  
Filed : August 23, 2001  
For : ORGANIC FERTILIZER HAVING HUMIC PROPERTIES, ITS  
METHOD OF PRODUCTION AND ITS USE  
Group Art Unit : Not yet known  
Examiner : Not yet known

Certificate of Mailing Under 37 CFR 1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to ASSISTANT COMMISSIONER FOR PATENTS, WASHINGTON, DC 20231 on March 13, 2002.

C. Bruce Hamburg  
(Name)

  
(Signature)

Assistant Commissioner for Patents  
Washington, D.C. 20231

RESPONSE TO NOTIFICATION OF DEFECTIVE RESPONSE

Sir:

In response to the Notification of Defective Response dated March 6, 2002, the following is submitted:

A proper declaration executed by all the inventors was filed in the USPTO on August 23, 2001 with an Express Mail Certificate under 37 CFR 1.10 dated August 23, 2001. Therefore, as of that date the requirements for acceptance under 35 U.S.C. 371 were met. A copy of that submission is appended hereto.

Serial No. 09/868,688

The supplemental declaration mailed on October 10, 2001 with a mailing certificate under 37 CFR 1.8 merely corrects the postal code in the post office address of one of the inventors and, consequently, is signed only by that inventor, which is proper practice. It is respectfully requested that if the party who issued the Notification of Defective Response does not fully understand this matter, he or she please consult with a supervisor.

Also submitted herewith is the copy to be returned with response.

Respectfully submitted,

JORDAN AND HAMBURG LLP

By

  
C. Bruce Hamburg

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## UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents, Box 901  
 United States Patent and Trademark Office  
 Washington, D.C. 20259  
 www.uspto.gov

|                               |                       |                  |
|-------------------------------|-----------------------|------------------|
| U.S. APPLICATION NUMBER NO.   | FIRST NAMED APPLICANT | ATTY. DOCKET NO. |
| 09/868,688                    | Klaus Fischer         | F-7028           |
| INTERNATIONAL APPLICATION NO. |                       |                  |
| PCT/DE99/04029                |                       |                  |
| I.A. FILING DATE              | PRIORITY DATE         |                  |
| 12/17/1999                    |                       |                  |

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CONFIRMATION NO. 3254

371 FORMALITIES LETTER



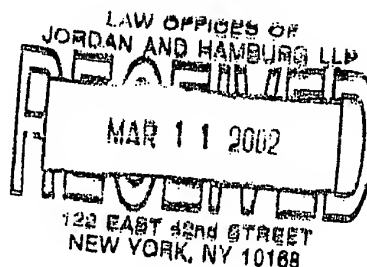
\*OC00000007571910\*

Date Mailed: 03/06/2002

## NOTIFICATION OF DEFECTIVE RESPONSE

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as an Elected Office (37 CFR 1.495):

- U.S. Basic National Fee
- Copy of IPE Report
- Copy of references cited in ISR
- Copy of the International Application
- Copy of the International Search Report
- Information Disclosure Statements
- Oath or Declaration
- Preliminary Amendments



The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
  - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.

**Applicant is required to complete the response within a time limit of ONE MONTH from the date of this Notification or within the time remaining in the response set forth in the Notification of Missing Requirements, whichever is the longer. No extension of this time limit may be granted under 37 CFR 1.136, but the period for response set in the Notification of Missing Requirements may be extended under 37 CFR 1.136(a).**

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

LAMONT M HUNTER

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PART 1 - ATTORNEY/APPLICANT COPY

| U.S. APPLICATION NUMBER NO. | INTERNATIONAL APPLICATION NO. | ATTY. DOCKET NO. |
|-----------------------------|-------------------------------|------------------|
| 09/868,688                  | PCT/DE99/04029                | F-7028           |

FORM PCT/DO/EO/916 (371 Formalities Notice)